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Paper No. 16

CARL A. CHASE JR.  
P.O. BOX 484  
BIG SUR CA 93920

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JUN 30 2000

In re Application of :  
C. Chase :  
Application No. 08/909,712 :  
Filed: August 11, 1997 :  
Attorney Docket No. CC001 :  
:

SPECIAL PROGRAMS OFFICE  
DAB FOR PATENTS  
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 10, 1999, to revive the above-identified application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may be met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof; (2) the petition fee required by 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)). This petition lacks item 1 above.

A Continued Prosecution Application (CPA) was filed on May 4, 1999 without the filing fee. Unfortunately, the lack of filing fee was not noted by the Technology Center and the application was allowed on the CPA. Therefore, in order to revive the application, the filing fee of \$455 for the CPA must be submitted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

By FAX: (703) 308-6916  
Attn: Office of Petitions

By HAND: Crystal Plaza 4-3C23  
2201 South Clark Place  
Arlington, Virginia

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-8859.

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects